

**United States District Court**  
for  
**District of Arizona**

**U. S. A. vs. Wyatt Johnson Benally**  
**Docket No. CR-22-08009-001-DJH**  
**AUSA: Dimitra Hotis Sampson**  
**Defense Attorney: Phil Noland**

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CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY _____

**T-SEALED**

**PETITION FOR ACTION ON CONDITIONS OF PRETRIAL RELEASE**

COMES NOW **MATTHEW M. SZMYTKE**, PRETRIAL SERVICES OFFICER, of the Court presenting an official report upon the conduct and attitude of releasee: Wyatte Johnson Benally, who was released by the Honorable Camille D. Bibbes sitting in the Court at Flagstaff, on the 24th day of November, 2021, who fixed bail at personal recognizance and imposed the general terms and conditions of bail release adopted by the Court and also imposed special conditions as follows:

**PLEASE REFER TO THE ORDER SETTING CONDITIONS OF RELEASE**

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

**ALLEGED VIOLATION:**

The defendant shall not use or possess a narcotic drug or other controlled substance (as defined by 21 U.S.C. § 802) unless prescribed for the defendant by a licensed medical practitioner; this provision does not permit the use or possession of medicinal marijuana even with a physician's written certification. The defendant shall not possess, ingest, or otherwise use a synthetic cannabinoid or synthetic narcotic. The defendant shall participate in drug treatment and submit to drug testing and make copayment toward the cost of such services, as directed by Pretrial Services. The defendant shall not obstruct or attempt to obstruct or tamper, in any fashion, with the efficiency and accuracy of any substance use testing or monitoring.

On April 9, 2022, the defendant failed to participate in drug treatment as directed.

On April 16, 2022, the defendant failed to participate in drug treatment as directed.

On April 30, 2022, the defendant failed to participate in drug treatment as directed.

On May 7, 2022, the defendant failed to participate in drug treatment as directed.


**AFFIDAVIT AND PETITION PRAYING THAT THE COURT WILL ORDER A SUMMONS BE ISSUED.**

In conformance with the provisions of 28 U.S.C. § 1746, I declare under penalty of perjury, that the foregoing is true and correct to the best of my knowledge. Based on the information presented that the defendant has violated conditions of release, I am petitioning the Court to issue a summons.

Page 2

RE: Wyatt Johnson Benally

May 9, 2022



Matthew M. Szmytke  
Intensive Supervision Specialist

May 9, 2022

Date

Reviewed by



Melesio Hernandez  
Supervisory U.S. Pretrial Services Officer

May 9, 2022

Date

### ORDER OF COURT

I find there is probable cause to believe the defendant has violated conditions of release, supported by the above affirmation given under penalty of perjury. The Court orders the issuance of a summons. Considered and ordered this \_\_\_\_\_ day of May, 2022, and ordered filed and made a part of the records in the above case.

Camille D.

Bibles

Digitally signed by Camille D.

Bibles

Date: 2022.05.09 17:18:43

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The Honorable CAMILLE D. BIBLES  
U.S. Magistrate Judge